

72

At an IAS Part of the Supreme Court of the State of New York, in and for the County of Kings, at the Courthouse located at 360 Adams Street, Brooklyn, NY 11201, on the 30 day of August, 2024

Present:

Honorable Cenceria P. Edwards, J.S.C.

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

-----X  
HAIM KAHAN,

Plaintiff,

Index No. 523487/2024

-against-

(PROPOSED) ORDER TO  
SHOW CAUSE

COHEN TAUBER SPIEVACK & WAGNER P.C.,

Defendant.

-----X

PLEASE TAKE NOTICE that, upon the accompanying Summons with Notice, the Affirmation of Haim Kahan, dated August 30, 2024, and the exhibits attached thereto, the Affirmation of Frank Seddio, dated August 30, 2024, and the exhibits attached thereto, and all of the papers and proceedings heretofore had herein, it is hereby

Let

~~ORDERED~~; that Defendant Cohen Tauber Spievack & Wagner P.C. ("CTSW"), show cause before this Court at IAS Part 83, Room 738, at the Courthouse located at 360 Adams Street, Brooklyn, NY, on the 25 day of Sept, 2024, at 9:30 am in the forenoon of that day, or as soon thereafter as counsel can be heard, why an Order should not issue ordering CTSW, the former counsel for Plaintiff Haim Kahan ("Plaintiff"), to transfer the \$1.6 million it is currently holding in escrow in connection with a proceeding captioned *Kahan v. Weisz et al.* (Index No. 519589/2024) (Sup. Ct. Kings County) to Plaintiff, and it is further

**STAY**

**ORDERED**, that pending the hearing on this motion, Defendant CTSW shall release the \$1.6 million it is holding in escrow to a bank account held by Plaintiff,

With  
J.S.C.

**ORDERED**, that sufficient cause appearing therefor, let service of a copy of this Order to Show Cause, together with the papers upon which it is based, upon CTSW, via email to Stephen and personal service Wagner ([swagner@ctswlaw.com](mailto:swagner@ctswlaw.com)) and Federal Express, on or before the 11 day of September, 2024, be deemed good and sufficient service; and it is further

**ORDERED**, that opposition papers, if any, shall be served on Plaintiff counsel, Frank R. Seddio, Seddio & Associates, P.C., via email ([seddialaw@gmail.com](mailto:seddio@outlook.com)) and Federal Express, no later than \_\_\_\_\_, 2024; and it is further

**ORDERED**, that reply papers, if any, be filed with this Court and served in the manner set forth above no later than \_\_\_\_\_; and it is further

**ORDERED** that a hearing on this motion will be held on \_\_\_\_\_ at \_\_\_\_\_ o'clock.

E N T E R:

  
J.S.C.

**Hon. Cenceria P. Edwards**